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Surber

In re Application of

Sawazaki, et al.

Serial No.: 09/522,832

Group Art Unit: 2815

Filed: March 10, 2000

Examiner: Baumeister, B.

For: GROUP III NITRIDE COMPOUND SEMICONDUCTOR LIGHT EMITTING DEVICE

Commissioner of Patents
Alexandria, VA 22313-1450

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TECHNOLOGY CENTER 2800

STATEMENT OF SUBSTANCE OF INTERVIEW

Sir:

In response to the requirement that Applicant provide a statement of the substance of an interview, Applicants hereby submit the following summary.

Applicants gratefully acknowledge Examiner Baumeister for taking time from his busy schedule to conduct a personal interview on November 18, 2003, for the above-referenced Application. The interview was courteous and professional, and it is believed by Applicants' representative that prosecution has been advanced because of this interview.

Concerning the substance of the interview, Applicants' representative discussed that a key aspect of the present invention is that the Applicants have discovered that color purity of the emitted light is a function of the strain between various layers and, more specific to the present invention, the n-clad layer and the barrier layer. Therefore, Applicants proffered the position that having substantially the same material for both the n-clad layer and the barrier layer is a new parameter that was not known in the art prior to the disclosure in the present Application.

Examiner Baumeister presented the position that a structure in the prior art that had

the same material would anticipate the present invention, even if the substantially same material were used for an entirely different reason.

Applicants' representative agreed that such structure might indeed demonstrate the present invention, but also pointed out that such prior art reference would have to expressly identify that the barrier layer and the n-clad layer are substantially the same material. This express description in a prior art reference that expressly defines the barrier layer and the n-clad layer as being substantially the same is quite different from a prior art reference that merely describes conditions in which it would be possible to construct this claimed feature.



Frederick E. Cooperrider (Reg. No. 36, 769)